

**REMARKS**

1. Applicants thank the Examiner for the comments in the detailed Office Action which  
5 have greatly assisted Applicants in responding.

**CLAIM REJECTIONS – 35 USC 112**

10 Claim 30 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 30 has been amended for further clarification. No new matter has been entered. Claim 30 teaches a call control system for handling calls in real-time, comprising:

- 15 a call receiver module configured to receive a call directed to a subscriber;  
a database of subscriber profiles, wherein a profile for a first subscriber includes one or more user names of the first subscriber for one or more instant messaging systems;  
20 an instant messaging module configured to send an initial instant messaging message to the first subscriber in response to receipt of a call for the first subscriber from a caller, wherein said initial instant messaging message includes a set of options for handling the call;  
a voicemail module configured to record an incoming message from the caller if the first subscriber selects a voicemail option for handling the call;  
25 a message playback module configured to play an outgoing message for the caller if the first subscriber selects a message playback option for handling the call;  
30 an audio module configured to establish an audio connection with the first subscriber if the first subscriber selects a call handling option for answering the call over said one or more instant messaging systems, said audio module being further configured to establish an audio connection with the first subscriber if the first subscriber selects a voicemail with screening option for handling the call; and  
35 at least one text-to-speech and speech-to-text conversion modules which, along with other components of the system, enable verbal-textual communication between the first subscriber and the caller over the instant messaging system being used by the first subscriber. (Emphasis added)

The Office Action states that the phrases "in real-time" and "speech-to-text conversion module" are contradictory based on Applicants' arguments and accepted definition in the art. Applicants respectfully disagree.

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Applicants respectfully point out that the arguments stated at page 6 refer to the Wolff reference cited in the previous Office Action and point out the shortcomings of the Wolff reference as they relate to the teachings of the present invention. Moreover, Applicants submit that Claim 30 is fully supported by the specification and that the specification discusses in great detail the real-time call control system claimed in Claim 30. Even the Casellini reference cited in the Office Action discloses at col. 2, lines 5-9 and lines 12-23, an Internet call management system that allows the subscriber to give the caller a personal response in real time without direct, duplex communication between the subscriber and caller, where the message may be translated from text to speech before being forwarded to the caller.

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Thus, Applicants submit that Claim 30, as amended, is in compliance with 35 U.S.C. §112 and is allowable. Applicants respectfully request withdrawal of the rejection and allowance of the Claim.

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#### **CLAIM REJECTIONS – 35 USC 102**

Claims 1-3, 5-9, 11-24, and 26-33 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,404,860 to Casellini (hereinafter "Casellini"). Applicants respectfully submit that Casellini fails to teach or suggest the present invention as claimed.

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Independent Claims 1, 11, and 29, recite, *inter alia*:

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"wherein when the user selects an option to answer the call over the instant messaging service, the controlling step further comprises the steps of:

(f1) if the instant messaging service is communicatively coupled to both a microphone and a speaker at the user's side, establishing an audio connection between the user and the caller; and

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(f2) if the instant messaging service is not communicatively coupled to both a microphone and a speaker at the user's side, establishing verbal-textual

communication between the caller and the user by enabling speech-to-text and/or text-to-speech conversion modules."

Independent Claim 30, as amended, recites, *inter alia*,

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"an audio module configured to establish an audio connection with the first subscriber if the first subscriber selects a call handling option for answering the call over said one or more instant messaging systems, said audio module being further configured to establish an audio connection with the first subscriber if the first subscriber selects a voicemail with screening option for handling the call; and

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at least one text-to-speech and speech-to-text conversion modules which, along with other components of the system, enable verbal-textual communication between the first subscriber and the caller over the instant messaging system being used by the first subscriber."

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The Office Action states that Casellini teaches each and every limitation of Claims 1-3, 5-9, 11-24, and 26-33. Applicants respectfully disagree.

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Casellini teaches a call management system, which provides a service that permits a subscriber to receive information about incoming calls, and provides a personal message to the caller over a voice channel. See Abstract. Casellini fails to teach or suggest

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"wherein when the user selects an option to answer the call over the instant messaging service, the controlling step further comprises the steps of:

(f1) if the instant messaging service is communicatively coupled to both a microphone and a speaker at the user's side, establishing an audio connection between the user and the caller; and

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(f2) if the instant messaging service is not communicatively coupled to both a microphone and a speaker at the user's side, establishing verbal-textual communication between the caller and the user by enabling speech-to-text and/or text-to-speech conversion modules,"

as claimed in independent Claims 1, 11, and 29. Casellini further fails to teach or suggest

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"an audio module configured to establish an audio connection with the first subscriber if the first subscriber selects a call handling option for answering the call over said one or more instant messaging systems, said audio module being

5 further configured to establish an audio connection with the first subscriber if the first subscriber selects a voicemail with screening option for handling the call; and at least one text-to-speech and speech-to-text conversion modules which, along with other components of the system, enable verbal-textual communication between the first subscriber and the caller over the instant messaging system being used by the first subscriber,"

as claimed in independent Claim 30, as amended.

10 At most, Casellini discloses that the system alerts the subscriber to incoming calls and permits the subscriber to respond with a personal message transmitted to the call management system from the subscriber's computer via a data channel. The system then forwards the message, which may be translated from text to speech, to the caller via a voice channel. See Col. 2, lines 12-23. In fact, at col. 2, lines 5-9, Casellini teaches away from the teachings of the present invention by disclosing an Internet call management

15 system that allows the subscriber to give the caller a personal response in real time without direct, duplex communication between the subscriber and caller.

In contrast, each of these independent Claims includes and defines a subject matter of enabling a caller and an instant messaging service user to communicate over the

20 communication channel established by, among other components, the instant messaging service system, when the user selects an option to answer the call over the instant messaging service.

Therefore, Applicants respectfully submit that independent Claims 1, 11, 29, and 30 are

25 distinguishable over the Casellini reference and should be allowed. Claims 2-3, 5-9, 12-24, 26-28, and 31-33, dependent directly or indirectly from allowable Claims 1, 11, 29, and 30 are also distinguishable over Casellini and should also be allowed at least for the same reasons as stated above. Thus, Applicants respectfully request withdrawal of the rejections and allowance of all Claims.

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### **CONCLUSION**

Based on the foregoing, Applicants consider the present invention to be distinguished from

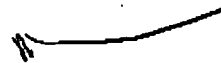
35 the art of record. Accordingly, Applicants earnestly solicit the Examiner's withdrawal of all rejections raised in the above referenced Office Action, such that a Notice of Allowance is

forwarded to Applicant, and the present application is therefore allowed to issue as a United States Patent.

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Respectfully Submitted,

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